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1 **STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**
2 **DEPARTMENT OF LABOR & TRAINING**
3 **RHODE ISLAND STATE APPRENTICESHIP COUNCIL**

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5 **APPRENTICESHIP COUNCIL :**
 MEETING :

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9 **April 22, 2008**

9:30 A.M.

10 **1511 Pontiac Avenue**
 Cranston, RI 02920

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12 **MEMBERS PRESENT:**

13 **WILLIAM HOLMES, CHAIRMAN**

JOSEPH F. CONTARINO WILLIAM J. RILEY

14 **WILLIAM O. LEPORE, JR. DAVID MARLAND**

15 **VALENTINO LOMBARDI, ESQ., COUNSEL TO THE BOARD**

BEN COPPLE, ESQ.

16 **RONALD R. D'AMBRUOSO, ACTING ASSISTANT DIRECTOR**

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RHODE ISLAND COURT REPORTING

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747 NORTH MAIN STREET

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24 **RHODE ISLAND COURT REPORTING (401) 437-3366**

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1 **(COMMENCED AT 9:35 A.M.)**

2 **MR. HOLMES: We'll call the meeting**

3 **to order. As a reminder, we have a stenographer**

4 **here. Please speak clearly and slowly.**

5 **Before we get started, I think we have a**

6 **little bit of housekeeping to take care of for the**

7 **board. If you don't already know it and for the**

8 **guests here, we have had some changes and updates**

9 **since our last meeting. First of all, Victor**

10 **Lepore has made it through. Unfortunately, his**

11 **dad passed away yesterday and he's at a funeral**

12 **today. He has been hired. He has made it through**

13 **the process and has been hired to take Buddy's**

14 **job. He comes from within the department. In**

15 **going through the resumes, et cetera, and through**

16 **the process, I think Victor is going to be an**

17 **outstanding addition. It will take him a little**

18 while to get through the learning curve. He's
19 been going around with Howard and Buddy has
20 pledged to give him whatever support is needed.
21 So he will be here at our next meeting. I believe
22 Buddy has a little envelope if anybody wants to
23 make a small donation to the memory of Victor's
24 father.

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1 Also, during the month, Kathy Serrecchia has
2 retired. I think some -- well, she's been around
3 for a while and has decided to retire. I think
4 there were some personal issues, but she has
5 retired and Ron has moved up to the deputy
6 director, I believe?

7 MR. DAMBRUOSO: Acting assistant
8 director.

9 MR. HOLMES: Acting assistant
10 director. As everything else that goes on around
11 here, it requires Senate approval and I assume
12 that will take place as soon as possible.
13 Unfortunately, the director will not be here
14 today, and Ron is sitting in here as her designee.
15 So with that, we will open up the meeting. Any
16 questions on that information?

17 We will open up the meeting. First order of
18 business would be acceptance of the minutes of

19 March 25.

20 MR. LEPORE: Make a motion we
21 accept it as printed.

22 MR. CONTARINO: Second.

23 MR. HOLMES: Any questions or
24 discussion? Seeing none, all those in favor,
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1 signify by saying aye. Opposed?

2 (VOTE TAKEN; MOTION PASSES)

3 MR. HOLMES: The ayes have it. And
4 I promised Juana that we would not take advantage
5 of her, but she will be presenting all the agenda
6 items for today.

7 So with that, the first item one on the
8 agenda is Apprentice Approvals that are presented
9 to you.

10 MS. ROSALES: They're all in order.

11 MR. RILEY: I make a motion we
12 accept the Apprentice Approvals.

13 MR. CONTARINO: Second.

14 MR. HOLMES: Any questions on any
15 of the individual items in Item 1? Seeing none,
16 all those in favor, signify by saying aye.
17 Opposed?

18 (VOTE TAKEN; MOTION PASSES)

19 MR. HOLMES: The ayes have it.

20 Item 2, New Companies. I guess we don't have
21 any.

22 Item 3, Completion Certificates.

23 MS. ROSALES: All in order.

24 MR. HOLMES: All in order. Do we

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1 have a motion?

2 MR. CONTARINO: I'll make that

3 motion.

4 MR. RILEY: Second that.

5 MR. HOLMES: Any questions? All
6 those in favor, signify by saying aye. Opposed?

7 (VOTE TAKEN; MOTION PASSES)

8 MR. HOLMES: The ayes have it.

9 Item 4 is for the council's information. It
10 requires no action. It's just a listing of
11 apprentices that have been cancelled.

12 Item 5, needing assistance is none.

13 Item 6, letter from the IBEW regarding
14 apprentice applications I believe they're
15 suspending temporarily. Any discussion, Ron?

16 MR. DAMBRUOSO: No.

17 MR. HOLMES: Any comment, Jim?

18 MR. JACKSON: Just that we changed
19 our way of accepting the applications. We're
20 going to take them from January to April of 2009

21 for the 2009 class. We've cut off the application
22 period as of the 16th of April, as we stated in
23 the letter.

24 MR. HOLMES: Motion would be in
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1 order to receive the information.

2 MR. LEPORE: I make the motion.

3 MR. CONTARINO: I'll second it.

4 MR. HOLMES: Any questions? All
5 those in favor, signify by saying aye. Opposed?

6 (VOTE TAKEN; MOTION PASSES)

7 MR. HOLMES: The ayes have it.

8 Next communication is from Da Top Sprinkler
9 Specialists. Anyone want to bring us up to date?
10 Is anyone here from Da Top? The letter is in the
11 packet.

12 MS. ROSALES: There's supposed to
13 be someone here.

14 MR. HOLMES: Seeing there's no one
15 here, I guess a motion would be in order to table
16 to next month.

17 MR. CONTARINO: I make that motion.

18 MR. RILEY: Second.

19 MR. LEPORE: Second.

20 MR. HOLMES: All those in favor,
21 signify by saying aye. Opposed?

22 (VOTE TAKEN; MOTION PASSES)

23 MR. HOLMES: The ayes have it.

24 Old Business, we have a couple of items. We

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1 have one item and we have several items that were

2 inadvertently left off the agenda. So we'll do it

3 one at a time.

4 Louis Petrucci regarding review an

5 apprenticeship served.

6 MR. PETRUCCI: Yes, Mr. Chairman,

7 members of the committee. The meeting before

8 last, you requested some additional document for

9 Brian Lewis. He had time served in the classroom

10 and on the job in Mass. he had three years and

11 he's been a resident of Rhode Island for about a

12 year and a half now?

13 MR. LEWIS: Two years.

14 MR. PETRUCCI: Two years. He

15 finished his fourth year here. You had requested

16 some additional info which we now have.

17 MR. LEWIS: Yes. I have an

18 apprenticeship agreement and also I have W-2s for

19 the years I was working for Interstate. You

20 wanted to see those to see if I could take the

21 exam after looking at that.

22 MR. HOLMES: Well, again, part of

23 that as far as taking the exam, that's up to the
24 licensing board, but this board can take it under
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1 advisement for your apprenticeship.

2 Howard, have you reviewed it or has anybody
3 from the department reviewed it? I think we
4 looked at them. If the council remembers, we did
5 ask for certain information, and I believe it is
6 complete.

7 MR. PETRUCCI: He's got it now.

8 MR. LEWIS: I have my
9 apprenticeship agreement, and these are also my
10 W-2s for the years I worked with them.

11 MR. HOLMES: I believe a motion
12 would be in order if the information that we
13 requested has been submitted that we would approve
14 the request.

15 MR. CONTARINO: I'll make that
16 motion.

17 MR. CARNEY: Again, what are you
18 looking for?

19 MR. LEWIS: I'm looking to actually
20 get to take the exam in Rhode Island.

21 MR. PETRUCCI: Eligibility to take
22 it based on his schooling and on the job both in
23 Massachusetts and time served here. So he's more

24 than exceeded the classroom and on the job.

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1 MR. CARNEY: Did you complete your
2 apprenticeship? It says cancelled.

3 MR. LEWIS: That's around the time
4 that I moved down here. I'm assuming that's the
5 case because I went from Mass. schooling to Rhode
6 Island.

7 MR. CARNEY: Two years ago?

8 MR. LEWIS: Yes. Then I completed
9 a year down here.

10 MR. CARNEY: In-house program?

11 MR. LEWIS: Yes, at Tollgate.

12 MR. PETRUCCI: We already submitted
13 those certificates.

14 MR. LEWIS: I have this here for
15 Rhode Island construction training, my hours I was
16 here.

17 MR. CARNEY: Mr. Chairman, I'm
18 sorry I'm not up on this. I would say pass him
19 tentatively and I'll review it after the meeting.
20 If there's any problem, I'll -- but it sounds like
21 it's legitimate.

22 MR. HOLMES: I think if we looked
23 two months ago back at what we requested and if
24 they provided what we requested, I assume it would

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1 be all right. But, again, I would suggest that
2 the motion be made if found in order by Howard,
3 then the request would be granted.

4 MR. CARNEY: I would have to have
5 the paperwork. I don't see any reason for holding
6 it. He's been here a couple of times.

7 MR. EKNO: Mr. Chairman, if I may.
8 My name is Bud Ekno. I was the supervisor of
9 Apprenticeship Training Program for the Department
10 of Labor and Training. I'm retired.

11 But the paperwork that is brought in, as long
12 as they were in a registered program, he has the
13 classroom related instruction, if he has both of
14 those on the job training and the classroom, it
15 would be up to the council's decision.

16 MR. HOLMES: I think what it was
17 was if they were in a classroom setting in
18 Massachusetts that we had already approved. We
19 were looking for approval from the Mass. council,
20 that they had approved the training facility, I
21 think was the major thing, as well as showing that
22 he was in an indentured program, if memory serves
23 me.

24 So the motion would be that if found in

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1 order, that it would be granted; and if not, it
2 would have to come back next month. And Howard
3 right now along with Victor is the only one that
4 can do that at the moment for recommendation. Is
5 there a motion to that effect?

6 MR. LEPORE: Joe made that motion.
7 I'll second it.

8 MR. HOLMES: Any questions? All
9 those in favor, signify by saying aye. Opposed?

10 (VOTE TAKEN; MOTION PASSES)

11 MR. HOLMES: The ayes have it.

12 MR. CONTARINO: Is the letter in
13 there from Mass. saying he was in an approved
14 program? That's what I'm asking. I heard him say
15 just the W-2s.

16 MR. CARNEY: Yeah. He's got the
17 apprenticeship agreement.

18 MR. ZINCK: My name is Eddy Zinck.
19 I'm the H.R. manager for Interstate Electric. The
20 apprenticeship program in Massachusetts, when a
21 person leaves the program, we have to de-register
22 him. That's why when he notified them that he
23 left the program and he has moved to Rhode Island,
24 that's why they cancelled, de-registered him in

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1 Massachusetts and registered in Rhode Island

2 through our office and Buddy's office.

3 MR. HOLMES: Thank you.

4 You said you had something else under Old
5 Business.

6 MS. ROSALES: Mr. Glen Corsetti, he
7 called last week stating that he doesn't want to
8 pursue this and he got a job and that he might
9 come back and request.

10 MR. HOLMES: Okay. Glen Corsetti
11 was requesting credit from Florida and he has
12 withdrawn his request. So let the minutes reflect
13 that he has withdrawn his request.

14 MS. ROSALES: Thank you.

15 MR. HOLMES: We've been requested
16 to move on to New Business, but we'll be coming
17 back to Old Business in a couple of minutes.

18 New Business, Jayme Tracz. I believe, is
19 there something in the --

20 MR. DAMBRUOSO: He's looking for
21 the same thing, Mr. Chairman. He's looking for
22 credit from his hours in Massachusetts. Am I
23 right? Explain what you're looking for.

24 MR. TRACZ: Well, I worked for

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1 Dave's Electric in Middletown, Rhode Island for
2 two years. And during that time, I attended Diman

3 Vocational School. I believe everybody has copies
4 of my three completion certificates here, and I
5 was trying to get credit for them.

6 MR. HOLMES: Which credit?

7 MR. TRACZ: For the hours.

8 Apparently, my boss, Dave from Dave's Electric,
9 never enrolled me in the Rhode Island
10 apprenticeship program, and that's where the
11 problem lies.

12 MR. HOLMES: Oh, it does.

13 MR. DAMBRUOSO: So you're looking
14 for the schooling credit and O.J.T. credit?

15 MR. TRACZ: I can only assume the
16 schooling at this point because on the job
17 training, I never received a letter from him. I
18 requested a letter from him several times. He
19 refuses to give me one that states I worked there
20 for two years. But the schooling, obviously, I
21 have diplomas that, in fact, say I did go there
22 and I did --

23 MR. DAMBRUOSO: Were you registered
24 in Massachusetts?

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1 MR. TRACZ: No.

2 MR. DAMBRUOSO: But you went to
3 school?

4 MR. TRACZ: Yes.

5 MR. DAMBRUOSO: So what you're
6 requesting is the schooling for the two years?
7 You have the documentation for schooling for the
8 two years?

9 MR. TRACZ: Yup.

10 MR. CONTARINO: He wasn't enrolled
11 in any program?

12 MR. DAMBRUOSO: No. Right?

13 MR. TRACZ: No.

14 MR. RILEY: All this time, you were
15 working for that Dave's Electric?

16 MR. TRACZ: Correct.

17 MR. RILEY: For two years and you
18 weren't enrolled anywhere?

19 MR. TRACZ: I wasn't aware that I
20 needed to be.

21 MR. RILEY: You were going to
22 school?

23 MR. TRACZ: Right. I took the
24 initiative to attend to school on my own to

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1 further my career. And then, like I said, when I
2 left Dave's Electric and hired on at Clem's
3 Electric where I currently work, they told me that
4 I had to come here. That was the first I learned

5 of having to be enrolled in the apprenticeship
6 program.

7 MR. CONTARINO: Then he wasn't an
8 apprentice.

9 MR. DAMBRUOSO: I think we have a
10 double problem. Is Dave's Electric part of our
11 apprenticeship program? Are they registered with
12 us?

13 MS. ROSALES: Yes.

14 MR. DAMBRUOSO: I'd like to make a
15 suggestion that we get them in here before this
16 council.

17 MR. HOLMES: Motion to table and
18 request Dave's Electric to come in.

19 MR. CONTARINO: I'll make that
20 motion.

21 MR. LEPORE: Second.

22 MR. DAMBRUOSO: I have a question.
23 Are you registered in Rhode Island now?

24 MR. TRACZ: Now I am.

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1 MR. DAMBRUOSO: Who are you working
2 for in Rhode Island?

3 MR. TRACZ: Clem's Electric.
4 They're from Bristol.

5 MR. DAMBRUOSO: You have an

6 apprenticeship card now?

7 MR. TRACZ: Well, it hasn't come to
8 me yet.

9 MR. DAMBRUOSO: But you registered?

10 MR. TRACZ: Oh, yeah.

11 MR. DAMBRUOSO: I don't have any
12 further questions.

13 MR. HOLMES: Any other questions?

14 So the motion should be to request the
15 apprentice that is requesting as well as the
16 representative from Dave's Electric to appear at
17 our next meeting. Motion made by Joe, seconded by
18 Bill Lepore.

19 MR. LEPORE: Request the person who
20 signed the agreement and who's representing Dave's
21 Electric.

22 MR. HOLMES: All those in favor,
23 signify by saying aye. Opposed?

24 (VOTE TAKEN; MOTION PASSES)

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1 MR. HOLMES: The ayes have it.
2 We'll take care of notifying Dave's, correct?

3 MR. DAMBRUOSO: Yes.

4 MR. HOLMES: Thank you.

5 Any other New Business?

6 At this time, we'll fall back to Old

7 Business. There's a couple of carryovers that
8 should have been on the agenda.

9 Number one is ESAC. ESAC is coming up the
10 first week in June. Each month I've suggested to
11 the director that we send a couple of people. I
12 was going to suggest again, and for the minutes I
13 would recommend that we recommend to the director
14 to send Ron and Victor to ESAC in the first week
15 in June.

16 I would entertain a motion to that effect for
17 whatever good it does to encourage the director.
18 Motion made by Bill and seconded by Dave to send
19 Ron and Victor to ESAC.

20 All those in favor --

21 MS. GRIECO: And I'm also on the
22 list to attend, as well, Christine Grieco.

23 MR. HOLMES: Okay. As many people
24 as we can send from the state, it's good for me.

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1 All those in favor, signify by saying aye.

2 Opposed?

3 (VOTE TAKEN; MOTION PASSES)

4 MR. HOLMES: The ayes have it.

5 Next item would be Building Futures. Andrew
6 Cortes made a presentation last month and we
7 tabled it to make sure we checked with legal and

8 all that. I believe everyone is aware of what
9 Building Futures is about from the presentation
10 that was made. I have not heard of any objections
11 of this council going on record as encouraging
12 direct entry from the Building Futures program,
13 our support for that situation.

14 MR. CONTARINO: I'll make that
15 motion.

16 MR. RILEY: I'll second that.

17 MR. HOLMES: Motion made and
18 seconded. Any discussion? Andrew, would you like
19 to say anything before we vote?

20 MR. CORTES: I would, Mr. Chair.

21 Thank you, Honorable Members of the committee. I
22 appreciate your time and consideration.

23 I did want to present for the record a
24 memorandum of understanding among the individual
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1 unions of the Rhode Island Building and
2 Construction Trades Council whose apprenticeship
3 programs have indicated their intent to modify
4 their apprenticeship standards to allow for direct
5 entry under CFR 29/30 Section 30.4(C)(6).

6 In any case, we at this point have 14
7 signatories from the respective building trades,
8 and I would like to present this memorandum of

9 understanding for the consideration of the
10 council's signature basically outlining a
11 cooperative relationship to facilitate entry for
12 our participants in our pre-apprenticeship
13 program, and basically just briefly outlining the
14 roles and responsibilities of Rhode Island Office
15 of Apprenticeship and State Apprenticeship
16 Council. Basically, we kept it very simple and
17 captured what you all have done for us already.
18 A) would be field representatives and/or
19 apprenticeship coordinators will address union
20 apprenticeship candidates while attending the
21 Building Futures pre-apprenticeship program which
22 has been done; b) providing technical assistance
23 of all parties signatory to this agreement
24 regarding apprenticeship programs which Mr. Carney

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1 has provided us very well; and c) providing
2 educational and promotional materials to Building
3 Futures regarding apprenticeship which has already
4 occurred.

5 I'd like to present this for hopefully the
6 Chairman's signature, if possible.

7 MR. HOLMES: I think it's
8 understood that if we go on record supporting this
9 motion that I would sign the memorandum. Any

10 questions?

11 Seeing none, all those in favor, signify by
12 saying aye. Opposed?

13 (VOTE TAKEN; MOTION PASSES)

14 MR. HOLMES: The ayes have it.

15 Thank you. I think it's a great program.

16 MR. CORTES: Thank you, sir. And
17 there's the spot for you. Would you like a copy
18 for the record?

19 MR. HOLMES: Yes, please.

20 All right. Before we get to the rules and
21 regulations, is there any other Old Business that
22 needs to be brought up?

23 Okay. At this point, I would be opening up
24 to Ron for some comments and to Val just to bring
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1 the council up to date where we are and what we
2 think we're about to finally do today with regards
3 to our rules and regulations.

4 So Val, if you would just bring us up a quick
5 series of events where we are and what we're about
6 to do.

7 MR. LOMBARDI: Right.

8 Mr. Chairman, members of the council, at the last
9 meeting, we had received -- between the last two
10 meetings, we had received a letter of response

11 from the Small Business section of the EDC
12 concerning their comments on our rules and regs,
13 and the council hasn't had an opportunity to
14 review them. So it was given to them for review.
15 Also, there was a comment letter sent, dated
16 March 20, from Mr. Kraemer who represented
17 Audette, Robert F. Audette, Inc., also was sent so
18 the council would have the opportunity to review
19 prior to this meeting, and some issues were
20 discussed concerning the consideration of ratios
21 as they were, job site ratios as opposed to hiring
22 ratios, and that was an issue that the council was
23 going to consider. And depending upon how the
24 council determined that, we would determine

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1 whether or not we could just go ahead just
2 clarifying our rules and regs with that indication
3 and take it from there.

4 That's basically where we are. I have all of
5 the final prior corrections made from some of the
6 language and some of the terms in the agreement,
7 but that was approved. So just basically that
8 ratio issue is the only thing that was outstanding
9 that the council wanted an opportunity to consider
10 and comment on today if there was any additional
11 changes or any additional responses that you would

12 like legal counsel to make to those who registered
13 opposition to some of our rules and regs.

14 MR. HOLMES: So at this point, we
15 have not responded to any of the people?

16 MR. LOMBARDI: No.

17 MR. HOLMES: Anything else?

18 MR. LOMBARDI: No. That's where we
19 are right now.

20 MR. HOLMES: All right. Ron, would
21 you like to?

22 MR. DAMBRUOSO: I guess before we
23 get into these rules and regs, I'd like to address
24 the letter that was sent to us by Mr. Kraemer.

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1 Would that be appropriate at this time?

2 MR. LOMBARDI: Are you talking
3 about the letter or e-mail?

4 MR. DAMBRUOSO: The e-mail.

5 MR. LOMBARDI: Mr. Kraemer is here
6 and sent the e-mail to us in advance to tell us
7 some issues that he would like the council to
8 discuss.

9 MR. HOLMES: Did all members of the
10 counsel get a copy of this e-mail?

11 MR. LEPORE: I got one.

12 MR. RILEY: Yeah.

13 MR. HOLMES: Go ahead, Ron. I

14 believe you have the responses.

15 MR. DAMBRUOSO: I don't have

16 responses from everybody, but I think it should be

17 addressed by everybody that's here Mr. Kraemer's

18 concerns. We can go through them one at a time.

19 Does everybody have theirs available?

20 MR. HOLMES: All right.

21 MR. CONTARINO: I haven't got my

22 copy with me.

23 MR. HOLMES: Just while we're

24 waiting, in the new rules, there seems to have

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1 been discussion, and most of you will remember

2 that I said this numerous times, that the issue of

3 one for one for the first apprentice, I had

4 suggested numerous times that it be stated as many

5 times as we can get in the document because that

6 issue has been kicked around all over the

7 ballpark. Okay? My intent is, I think most of us

8 that attended most of the meeting understand that

9 every single company has the right to have an

10 apprentice once they have one journeyman. And,

11 again, coming up last month when it came to the

12 non-licensed trades, the way it was written at

13 that point seemed to leave itself open for some

14 interpretation. And there have been some hearings
15 on other legislation regarding this issue that it
16 may be partially vague in its drafting.

17 So, not putting words in Ron's mouth, we
18 agreed that we should go back on the commercial
19 column under the non-licensed trades which is the
20 last page, just to try to make it a little
21 clearer, that every single company has the right
22 to have an apprentice after one journeyman. So
23 it's a one to one ratio for the first one. If you
24 notice in that column, we kind of duplicated what
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1 the other pages said and said one to one, then one
2 to five or in some cases one to three or one to
3 four which currently reflects what those trades
4 do.

5 So as far as I know other than the technical
6 language issues, the house cleaning issues
7 throughout the document, it's the same comment
8 that we've been working off of right along.
9 Hopefully, this will finally make it clear that
10 every company, minority, small business, whatever,
11 has the right to have one to one for their first
12 apprentice. I really hope this puts that issue to
13 bed.

14 And with that, why don't we fall back now

15 that everyone has a copy of the e-mail from

16 Mr. Kraemer, why don't we go through that.

17 MR. DAMBRUOSO: Mr. Kraemer, do you

18 want to express your concerns for each of these

19 classifications?

20 MR. KRAEMER: I've looked at my

21 e-mail for a while, but the purpose of the

22 e-mail was -- let me restate. The e-mail was a

23 followup to a conversation that I had with your

24 counsel, Val, on a number of issues that I thought

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1 as I read the regulations, proposed regulations,

2 were not clear and people had questions on. And I

3 got the answers from Val, but I thought it would

4 be important to have it sort of on the record here

5 so we're all operating with the same understanding

6 on these three issues.

7 The first concerns job site versus employee

8 complement. The question is whether the ratios

9 that are being established under the proposed

10 regulations are job site ratios as opposed to

11 employee complement ratios or do these regulations

12 limit the number of apprentices that a company

13 could sponsor as opposed to the number of

14 apprentices on a particular job site at a

15 particular time?

16 Val explained to me that these were job site
17 ratios because in terms of training, safety, and
18 all the other issues, it's really a job site
19 issue, but a number of people I spoke to were not
20 clear on that. So I thought we should get a
21 clarification from the council on the record as to
22 what the understanding or intent was with regard
23 to job site versus employee complement.

24 The second issue concerned -- do you want me
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1 to go one by one?

2 MR. HOLMES: Yes.

3 MR. KRAEMER: The second issue
4 concerns whether the ratio was based upon a
5 fractional calculation, and this I thought under
6 the proposed regulations was not clear, as well.
7 And by a fractional, I would mean that it's pretty
8 clear, let's take electricians, that the
9 regulations are proposing one to one and then one
10 to three. And as the Chairman just said, if
11 you've got one journeyman, you can have one
12 apprentice. Then the question is do you get your
13 second apprentice after you have your second
14 journeyman or after you have your 4th journeyman?
15 Do we understand that? In other words, whether --
16 and Val explained it to me that the trigger for

17 the second journey person would be -- the second
18 apprentice would be a fractional one. So if you
19 had two people of journeyman status, you would
20 then get two apprentices. You wouldn't get your
21 third apprentice until you had your
22 5th journeyman. Do those numbers work for you,
23 Val?

24 MS. GRIECO: No.

0028

1 MR. KRAEMER: We know it's one to
2 one. We know it's then one to three after that
3 and one to three after that. So you would have --
4 we know if you have four journeymen, you can have
5 two apprentices.

6 MR. HOLMES: Correct.

7 MR. CONTARINO: If you have seven
8 journeymen, you can have three apprentices.

9 MR. HOLMES: Correct.

10 MR. KRAEMER: Now, the question is
11 when do you get your second apprentice? Do you
12 get your second apprentice when you have your
13 fourth journeyman or is it fractional when you
14 have your second journeyman?

15 MR. HOLMES: Howard?

16 MR. CARNEY: I don't see anywhere
17 in our language that says fractional to begin

18 with. But years ago, we were told by federal wage
19 and hour that if we didn't have a fraction thereof
20 in our language, and at that time the ratio was
21 one to five. You had to have five journeymen
22 before you had one apprentice. So we were
23 instructed by federal wage and hour to put that
24 into the standard which fraction thereof means
0029

1 only to the first apprentice. In other words,
2 like you're saying an employer should be allowed
3 to have an apprentice. So that covered that.

4 But with this ratio here, the way I read it,
5 I'm still unclear in my mind what the indenturing
6 ratio is, and I think that might be the basis of
7 what the gentleman is talking about. We had an
8 indenturing ratio for past maybe ten years here
9 where we just found out recently that we
10 misinterpreted the law. We were told at that time
11 that we had to go on a one to one ratio. I don't
12 know whose misinterpretation or what, but we were
13 told that. Is that correct, Buddy?

14 MR. EKNO: Yes.

15 MR. CARNEY: But the SAC council's
16 specific ratio is one to five. So when these
17 people went on jobs, we were holding them one to
18 five. But this language here, it looks like

19 everybody gets the first apprentice one on one.
20 Before they get the second apprentice, a one to
21 three ratio or a one to five ratio goes into
22 effect which means that in particular case like an
23 electrician with one to three ratio, the house or
24 the job gets the first apprentice one on one.

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1 Before they can have the second apprentice, you
2 need four journeymen. Seven for the third one,
3 ten for the fourth one, and so on. One to three.

4 MR. KRAEMER: I'm not proposing one
5 is right or one is not right or taking a legal
6 position. I'm just trying to understand what the
7 proposed regulations require. As far as an
8 indenturing ratio, these are all job site ratios,
9 not indenturing ratios. That was my first
10 question. That's number one. Maybe when we ask
11 the questions, then you all can answer them.

12 The second is whether for job site whether
13 the regulations allow for fractional or call it
14 whole numbers on the job site; you need a fourth
15 journeyman on the job to have two apprentices or
16 is the fractional calculation which would allow
17 the second apprentice at the time of the second
18 journeyman, is that sufficient? When I talked to
19 Val over the phone, it was Val's understanding

20 that the ratios were job site, not indenturing
21 ratios; is that correct, Val?

22 MR. LOMBARDI: Yes.

23 MR. KRAEMER: Number one. Number
24 two, when I asked Val whether the ratios on the
0031

1 job site were fractional, I think Val told me that
2 they were fractional. Now, I'm not taking a
3 position what's required or was not required. I
4 just want to understand what it is that the
5 council thinks it's adopting with these
6 regulations. So I just wanted clarification on
7 the record on that issue.

8 The third issue I wanted clarification on is
9 how these regulations effect contracts in place.
10 My client, let's say, has a contract in place.
11 It's been bid on the current one to one ratio
12 which would allow four apprentices for four
13 journeymen which is the current law, and the
14 question is that when these go into effect which
15 would be once they were forwarded to the Secretary
16 of State and once 20 days passes, does that render
17 the -- what does that do to a contract that's
18 already in place? And what Val told me on the
19 phone, and correct me if my recollection is
20 incorrect, Val, was that the new regulations don't

21 affect contracts that were already signed. That
22 those can be completed under whatever ratios had
23 previously existed, but that new contracts would
24 come under the ratios that are proposed here

0032

1 assuming that the council adopts them; is that
2 correct?

3 MR. LOMBARDI: That would be my
4 advice to the council.

5 MR. KRAEMER: So I have three
6 questions for you. One is whether it's a job site
7 ratio or, to use the term the gentleman used, an
8 indenturing ratio. Secondly, whether on a job
9 site it's fractional or whether it's whole
10 numbers. So whether the second apprentice is
11 available after the second electrician or after
12 the fourth electrician. And thirdly, how this
13 affects contracts that have been signed. And I
14 guess a secondary issue was what do you do with
15 bids that have not yet been acted on?

16 Those are the three questions that I thought
17 that the regulations weren't particularly crystal
18 clear on, and that's why I called Val and e-mailed
19 Val to say I want to raise these with the council
20 so that we have it on the record what the
21 council's understanding of the regulations are.

22 Any questions?

23 MR. HOLMES: You want to or me?

24 MR. DAMBRUOSO: Let's start with

0033

1 the easy one. As far as if the contracts that are
2 existing now, it would be my suggestion to the
3 council that those contracts be completed at the
4 ratio which stands which is the one to one.
5 Although when we investigate and check on the job
6 site, very few job sites do we find a one to one
7 ratio. We find the majority of them are working
8 with journeymen.

9 But to answer your question, within a
10 reasonable amount of time, we have to honor those
11 contracts that are existing today. That would be
12 my suggestion to the council on that issue. I
13 don't know if you want to vote one at a time.

14 MR. HOLMES: You just brought up an
15 interesting point because the way the attorney
16 presents the case, the possible bidding, I mean,
17 you could be talking years. So your statement of
18 a reasonable amount of time holds.

19 MS. KENT: Who's going to pay for
20 the difference?

21 MR. HOLMES: Are we going to wait
22 forever?

23 MR. JACKSON: I hope you're not
24 balancing your job with an apprentice.

0034

1 MS. KENT: It doesn't matter. If
2 you bid a job at a one to one ratio. Let's just
3 say it's the Town of Hoboken. We bid a job in the
4 Town of Hoboken at a one to one ratio. Now you're
5 mandating a different set of ratios. Are we going
6 to go to the Town of Hoboken and say --

7 MR. DAMBRUOSO: Did I say that?

8 MS. KENT: No, no, no. I'm just
9 saying to Bill, not to you, Ron. I understood
10 what you said. But who's going to pay for the
11 difference in cost? That would be my question.

12 MR. KRAEMER: And if the
13 clarification is that the contract that had been
14 bid and signed is what governs at least for that
15 contract, new contract, then it's subject to new
16 regulations which is the understanding that Val
17 had explained to me and that Ron is suggesting,
18 that would solve Lynn Kent's problem on how do you
19 go to the client and say now the contract has to
20 be changed. They're not going to change the
21 contract. That works if the interpretation of the
22 regulations is such that the ratio at the time of
23 the contract was signed is the effective ratio.

24 But if you're throwing in for a reasonable amount

0035

1 of time, then you raise an issue of uncertainty.

2 Does that mean if Robert F. Audette signs a

3 contract and it's going to take two months to

4 complete the contract, they can complete it at the

5 one to one ratio; but if it's going to take a

6 year, then a different ratio applies? There

7 should be a bright line test one way or the other.

8 I'm not suggesting what you do. I just want to

9 understand what you're doing.

10 MR. DAMBRUOSO: When I say

11 timeline, we have projects that are going on now

12 that will go on for eight years, the tunnel, which

13 they're about to start another phase on it. Let's

14 go to a smaller job, URI, the new science lab.

15 They could be there over a year. Those contracts

16 were signed previous and I understand that.

17 Where I can see a problem coming up is where

18 someone doesn't have a contract. Six months from

19 now, someone comes into our office and says,

20 "Well, I bid this last March." "Can you show us a

21 contract?" "No, I can't, but I bid it without a

22 contract." Those are the types of problems I'm

23 foreseeing.

24 But I don't see a problem if someone comes in

0036

1 here with a legitimate contract that was bid
2 previous to these going into effect holding up. I
3 mean, I think that would be within reason. But I
4 don't want someone coming into my department a
5 year from now and say, "I bid this last January,
6 but I don't have proof of it." That's going to be
7 a problem.

8 So the simple thing of saying, "Yes, I have a
9 contract signed that was signed in February of
10 '08" and saying, "Yes, I made agreement with ABC
11 contractors back in February, but I don't have a
12 contract to show you, but that's what the price I
13 put in was," that's going to be a problem.

14 So legitimately how I feel about this, and
15 this is only my opinion, if someone walks in here
16 with a written contract that they've had previous
17 of when this goes into effect, I think the state
18 should honor that. That's only my opinion.
19 Smaller contracts, I don't know how we're going to
20 handle those because 95 percent of the smaller
21 contracts are done verbally and 85 percent of the
22 industry is small contracts. So how that's going
23 to be addressed, I think we're almost going --
24 this department will have to handle that one at a

0037

1 time within reason. And I'm sure if they don't
2 agree with the decision we make, you'll probably
3 be handling the cases, but that's my opinion on
4 it.

5 Val, do you have anything else to add?

6 MR. LOMBARDI: No. I just would
7 indicate that if you have documentation such as a
8 written contract, that's something that was in
9 existence prior to the promulgation of these
10 amended rules, so that would be -- whatever the
11 law in effect, the rules and regulations were in
12 effect at the time that contract was executed
13 would carry through the extent of the contract,
14 whether it's a six month contract, a two year
15 contract or a five year contract. That's the
16 extent of the contract.

17 With regard to a bid, that's a gray area.
18 There's a bid put in prior to the rules going into
19 effect, but a contract that wasn't actually signed
20 until afterward. I think if there's proof that
21 the bid was submitted, documented proof the bid
22 was submitted, based upon that, I think the
23 council can consider that that was bid based upon
24 the -- and there was no ability to change that bid

0038

1 because of time constraints, then I think the

2 council would consider that maybe that's a
3 contract, also, in effect.

4 MR. LEPORE: It would be a business
5 decision as to how to put his bid together. If he
6 bids a job during this period when we've been
7 reviewing the rules and regs to change them,
8 that's no big secret. So I don't think that
9 should be considered at all.

10 MR. HOLMES: You don't think what
11 should be considered at all?

12 MR. LEPORE: Any consideration for
13 unawarded contracts.

14 MR. HOLMES: Anybody else?

15 MR. MARLAND: It's no different
16 than if gas goes up to \$4 a gallon, copper spikes
17 to \$4 a pound, whatever it is. I mean, once you
18 bid the job, you don't get to readjust it because
19 the prices went up.

20 MR. CARNEY: At no time do I
21 remember being instructed that this would affect
22 the job site ratio. This was only supposed to be
23 an indenturing issue.

24 MR. HOLMES: Separate issue. We'll

0039

1 get to that.

2 MR. CARNEY: But what I'm saying is

3 that's what the intent of one to one was. It
4 wasn't going into the job site. Whether our
5 standards have been amended or not, we go back to
6 when they were sent in correctly and the ratio by
7 law, I would think, is one to five and hasn't been
8 changed. And now with this new legislature, we're
9 going to drop some from one to five down to one to
10 three. But this one to one ratio never affected
11 the job site. I still think the one to five is in
12 effect.

13 MR. HOLMES: I understand. That's
14 another issue that we're going to get to in a
15 minute. That isn't the issue that's on the table
16 at the moment.

17 MR. CARNEY: I'm confused then.

18 MR. HOLMES: We'll get to that.

19 On the grandfathering, you've heard the
20 advice that regardless of how long the contract
21 is?

22 MR. LOMBARDI: Regardless. It's a
23 signed contract.

24 MR. HOLMES: If it's a signed

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1 contract was in effect under the old rules, and I
2 think that makes sense. What I personally have a
3 problem with is a job that's going to go out four

4 years. I understand that it was signed before,
5 but I think there's more than enough time if we
6 put something like a one year time limit or
7 something like that, but that's my personal
8 opinion.

9 The recommendation is that any contract that
10 was signed prior to the implementation of whatever
11 rules we implement would be grandfathered in under
12 the old rules. That's the recommendation. Do I
13 have a motion?

14 MR. RILEY: I make a motion to
15 accept Val and Ron's proposal or their
16 recommendations.

17 MR. LOMBARDI: Just with regard to
18 existing contracts.

19 MR. RILEY: Exactly.

20 MR. HOLMES: We're taking these one
21 at a time. There's been three more issues
22 technically raised or issues for clarification
23 about how we're going to interpret the rules.
24 This is the first one.

0041

1 Motion has been made.

2 MR. LEPORE: Could we correct his
3 motion to use the wording you expressed? I
4 believe that's what he's trying to do.

5 MR. RILEY: Right.

6 MR. LEPORE: As opposed to
7 including the two people. He referred to you and
8 Val.

9 MR. RILEY: Ron and Val.

10 MR. HOLMES: Why don't you just
11 make a motion. Clarify the motion.

12 MR. RILEY: I will restate the
13 motion. I make a motion to accept Val's
14 interpretation and would grandfather in anyone
15 who's already got a contract that has been signed.

16 MR. LEPORE: Second.

17 MR. LOMBARDI: That's signed,
18 existing contracts.

19 MR. RILEY: Yes. Thank you.

20 MR. HOLMES: Motion has been made
21 to grandfather any contract that has been signed
22 prior to implementation of these rules. Motion
23 made and seconded. Any other discussion on that
24 one, the easy one?

0042

1 MR. CONTARINO: Let me understand
2 something. What we're saying is we're going to
3 grandfather up to that point, correct?

4 MR. HOLMES: Correct.

5 MR. CONTARINO: Documentation goes

6 back to Ron's office for verification and the
7 inspectors are going to go out and check all this
8 stuff? There's a second problem. This is a two
9 fold problem. How are we going to verify this
10 stuff?

11 MR. HOLMES: I would think that if
12 an inspector caught somebody out there, the
13 contractor would have to bring in a signed
14 contract.

15 MR. DAMBRUOSO: A licensing
16 inspector.

17 MR. HOLMES: Would have to have
18 proof from the contractor. If there's proof he
19 had it prior to, then he's okay.

20 MR. CONTARINO: I just want to make
21 sure the documentation gets to the right
22 department, the license people are able to go out
23 there and check it. I don't want to be caught in
24 the middle approving something that we don't have

0043

1 documentation of black and white.

2 MR. HOLMES: Any other questions?

3 All those in favor, signify by saying aye.

4 Opposed?

5 (VOTE TAKEN; MOTION PASSES)

6 MR. HOLMES: The ayes have it.

7 MR. KRAEMER: Ron, it's a good
8 thing you started with the easy one.

9 MR. DAMBRUOSO: I'm afraid to go to
10 the other ones.

11 MR. LOMBARDI: We did existing
12 contracts. What about bids?

13 MR. HOLMES: That's it. They have
14 to have an existing signed contract --

15 MR. LOMBARDI: Okay.

16 MR. HOLMES: -- prior to the date
17 of whatever date this gets to be.

18 Rounding up I think is the next one or which
19 one do you want to take?

20 MR. DAMBRUOSO: Rounding up, which
21 one was that?

22 MR. HOLMES: Number two.

23 MR. KRAEMER: Fractional.

24 MR. DAMBRUOSO: This is how I

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1 interpret it. Now, I may have to be corrected
2 here. The ratios -- let's talk about electricians
3 because that seems to be the whole topic. There
4 isn't another trade that has a problem except
5 electricians. Let's talk about electricians.

6 My understanding of it, on a job site, I'm
7 not talking residential, I'm talking a commercial

8 job site, you can start the ratio off one
9 apprentice for one journeyman or master, whatever
10 it may be, but use journeyman, one apprentice to
11 one journeyman. A second apprentice cannot be
12 brought on, this is how I'm interpreting this,
13 until you have four journeymen, then you bring on
14 your second apprentice which brings the ratio now
15 to two to one, and so on down the line from that
16 point so forth. Every time you want to bring on
17 an apprentice, you bring on three more
18 journeypeople. That's my interpretation of that.
19 If anyone has a different interpretation, please
20 present it right now.

21 MR. LEPORE: What you just
22 described is what I understood we talked about in
23 the public hearings.

24 MR. DAMBRUOSO: In all the public
0045

1 hearings and all the meetings. How this other one
2 came up, I'm baffled by this one.

3 MR. HOLMES: Two things I would
4 say. Number one, the document as it stands is
5 silent on fraction thereof. Howard's explanation
6 is how I remember it since I've been here in 1992.
7 Fraction thereof applied to the first. It was a
8 cute way of saying you get an apprentice for your

9 first journeymen, and that's what got us into a
10 lot of the problem from the beginning. The
11 fraction thereof sentence, I believe, and I
12 believe Howard stated this, only applied to the
13 first one. That anything beyond that required the
14 full complement of whatever the ratio was. That's
15 what I remember. And I think with it being silent
16 and, again, I would recommend that that's the way
17 it should be. Again, you get an apprentice for
18 any amount of -- from the first one through the
19 fourth or the fifth, whatever your craft is, you
20 can get the first one; but beyond that, you've got
21 to have the full complement of the ratio as you
22 multiply out.

23 Any other discussion? Do we have a motion to
24 that effect?

0046

1 MR. MARLAND: I make the motion.

2 MR. RILEY: I'll second that.

3 MR. HOLMES: Clarify the motion.

4 That the ratio will be applied one to one for the
5 first or any fraction thereof; beyond the first
6 apprentice, the full complement of a ratio will be
7 followed for every craft.

8 MR. DAMBRUOSO: Except for where
9 the ratios of trades are different. Some of them

10 are legislatively. Some trades, you start off two
11 apprentices to one journeyman. That would be the
12 only correction. When I addressed it, I addressed
13 it as electricians. But there's some trades,
14 you've got sign contractors, sign installers, they
15 start off two apprentices to one journeyman.
16 That's by law.

17 MR. CARNEY: With a one to one
18 ratio for the first apprentice and then one to
19 three, you don't need that fraction at all because
20 you're covered. The apprentice, the first ratio
21 is one to one. From there on in, it's one to
22 three and one to five, whatever it may be.

23 MR. HOLMES: That's why I'm told
24 it's not in here and that's why the document is
0047

1 silent.

2 Just for clarification so everybody in the
3 room understands, fraction thereof is not in the
4 document. We get one to one for the first one and
5 then it's full complement beyond that.

6 MR. LOMBARDI: Just let me clarify
7 for the council and Mr. Kraemer. At the last
8 meeting, the March meeting, that issue was brought
9 up and I was somewhat confused myself by that.
10 And that's why when we discussed it, I think I

11 stressed that I thought what it might mean. So
12 that's why, I think, Mr. Kraemer did put it down
13 in a request and did bring it before the board so
14 it can be clarified by the council.

15 MR. KRAEMER: Again, Mr. Chairman,
16 I'm just trying to understand what the regulations
17 provide. As many of you know, we have differences
18 over whether it should be one to one no matter how
19 many apprentices you get. That's not the issue.
20 The issue is what the regulations, as you're
21 proposing them and going to pass them, what they
22 mean so we understand them.

23 MR. HOLMES: You understand the
24 motion?

0048

1 MR. KRAEMER: I understand the
2 original -- that there really is no need for a
3 motion because the absence of fractional language
4 means that you need a fourth electrician
5 journeyman before you have a second apprentice.
6 So I'm not sure why a motion is necessary.

7 MR. HOLMES: Just for the sake of
8 having it in documentation in the record somewhere
9 that somebody has the ability to refer back to.

10 MR. KRAEMER: It's your committee.
11 I defer to you how you want to handle it.

12 MR. HOLMES: I'd rather be overly
13 clear than underly clear.

14 MR. RILEY: Would I be in order to
15 amend his motion? I know Ron referred to
16 electricians, but that we adopt Appendix A for all
17 of the apprentices. Ron was talking about
18 electricians. Just so we're clear.

19 MR. HOLMES: I think that would be
20 the last step, I believe. So was there a motion?

21 MR. MARLAND: Yes.

22 MR. HOLMES: There was a motion
23 made and seconded that it will be one to one for
24 every trade and beyond that, you'll follow the

0049

1 appropriate ratio for the appropriate craft. All
2 those in favor, signify by saying aye. Opposed?

3 (VOTE TAKEN; MOTION PASSES)

4 MR. HOLMES: The ayes have it. Now
5 we get to the good one. Go ahead. I got your
6 back.

7 MR. DAMBRUOSO: Okay. Job site
8 ratio. Job site ratio, in my opinion, will be
9 followed by Appendix A. Indenturing these
10 apprentices would also be followed by Appendix A.
11 Now, does that mean one to three? It does not
12 mean that. And I will refer again to the

13 electrical industry. If all you do is wire
14 houses, the one to three won't work for you. It
15 has to be the one to one.

16 So in my opinion, when you look at these
17 ratios, the only way we can indenture apprentices
18 is on a one to one basis for the simple reason,
19 one day I'm in a commercial business and I'm
20 working only on one to three ratio jobs. All of a
21 sudden, I decide I don't want to do commercial
22 anymore, I want to do residential. Does that
23 person have to come in here and re-sign their
24 contract with us -- their contract with

0050

1 apprenticeship? Or maybe I want to do both.
2 Maybe I want to do residential, maybe I want to do
3 commercial. So I think in signing up apprentices,
4 it almost has to be a one to one ratio on signing
5 them up. Because the enforcement from this
6 division comes on job site ratio, not on
7 apprentices signed up, and that's where the
8 enforcement will be, on that one issue.

9 But there's a double question there. Let's
10 just stick with that right there. Then I'll go
11 into the second one about unlicensed trades.
12 That's how I look at it. If someone has a
13 different opinion of it, please explain it.

14 MR. HOLMES: Let's go through the
15 table first before we go outside. Bill?

16 MR. LEPORE: If they're a one to
17 one basis, how are they going to provide the
18 training, OJT training, on the job training if
19 they have an excess of apprentices?

20 MR. DAMBRUOSO: Well, if we talk
21 logical here, which sometimes we don't, if I was
22 in business, I wouldn't sign up one to one if all
23 I'm doing is commercial business. If all I'm
24 going to do is residential, it's fine. Or if I'm
0051

1 going to do 50-50 -- I can't see anybody in this
2 industry signing up one to one. There's 8,000
3 journeymen and master licenses out there. Does
4 this mean four years from now, we're going to have
5 16,000 journeymen? And four years from that,
6 double that? I mean, the industry will just
7 crumble before us. I mean, we heard a number of
8 people in all these meetings screaming we want one
9 to one, one to one. I mean, common sense, that
10 won't work theoretically. Theoretically, it won't
11 work just because of what I said. Eventually
12 there will be too many apprentices out there and
13 there will be too many journeymen. Everybody will
14 be out bidding each other. So if I was in

15 business, a common sense businessman, and I don't
16 think he's going to have all these apprentices
17 sweeping the garage out or painting trucks or
18 doing something in the garage. That has to be a
19 common sense thing.

20 But getting back to what I said originally,
21 this department doesn't have any enforcement
22 except job site enforcement and only what the law
23 tells us we can do. We can't go into a shop and
24 tell them you can't have five apprentices if

0052

1 you've got five journeymen. What are they doing
2 in the shop? They're not doing electrical work in
3 the shop or plumbing work or whatever it may be.
4 By the way, plumbing is one to one all the way
5 around.

6 MR. HOLMES: By law.

7 MR. DAMBRUOSO: By law. I hope I
8 answered your question by that. And that's the
9 ratio that a lot of people looked into this and we
10 did a lot of research on it. Now, if someone
11 wants to put on one to one, I can't see a problem
12 with it as long as they're not working on a job
13 site. As far as the training goes, it's their
14 obligation to get the right training. And from
15 this point on, once everything is adopted here,

16 Buddy did not have the time, we're going to make
17 the time for our apprenticeship coordinator to go
18 out and monitor a lot of what's going on.

19 So there's going to be some changes here, but
20 we don't have a legal right to write up someone
21 who has more than one to three working in their
22 garage or on their payroll.

23 MR. LEPORE: We can always run it
24 up the flagpole and change it later on.

0053

1 MR. DAMBRUOSO: Well, you know,
2 it's only rules and regs and it can be changed.
3 But, I mean, this is the way we've adapted this.
4 I know me. If someone was to come in here and
5 say, "I want to use one to one ratio because I'm
6 going to do half commercial and half residential."
7 Unless this changes somehow, I can't deny them.
8 That's how I look at it. Now, if someone else can
9 give me some other reason why. And I know our
10 goal with this is training, but we have to
11 consider the businessman, also. It's just my
12 opinion of how it was done.

13 MR. CARNEY: So you're saying
14 indentured ratio is going to be one to one?

15 MR. DAMBRUOSO: No. I'm saying
16 indentured ratio has to follow Appendix A, and

17 that's another issue we're getting into. We're
18 getting into another issue here. This is nothing
19 to take a vote on. This is what the
20 apprenticeship agreement standard has to be
21 changed to. And we'll get to that shortly.

22 MR. HOLMES: Anyone else around the
23 table before we go? Jimmy?

24 MR. JACKSON: No comment.

0054

1 MR. HOLMES: Anyone else?

2 MR. BOISSELLE: Mr. Chairman,
3 members of the council, could I just direct your
4 attention to the very last page where it says job
5 site ratios for unlicensed trades.

6 MR. DAMBRUOSO: We're going to get
7 to that. That's a separate issue. That's the
8 second half of that first question.

9 MR. ZINCK: Indentured to me means
10 registered. You have licensed A.C. guys, licensed
11 electricians, you have licensed trades commonly
12 referred to as the mechanics and that's the
13 journeymen. But when you're talking indentured,
14 you're really talking about registering that
15 apprentice here with the State of Rhode Island,
16 Connecticut, Massachusetts.

17 So if you look at how you define indentured,

18 you might say registered. So if out on the job
19 site, you have to have a registered apprentice
20 working for a licensed electrician one to one.
21 Then you have to have three licensed additional
22 journeymen to have two registered apprentices. So
23 you might want to consider the word registration
24 versus indentured. I just throw that out. It

0055

1 might make it a lot clearer.

2 MR. HOLMES: On a commercial job.

3 MR. ZINCK: Yeah.

4 MR. HOLMES: Anyone else?

5 Val, any comment?

6 MR. LOMBARDI: No. In working on
7 these, that was the issue that always came up was
8 where they were going to be working, and that's
9 why it was indicated a job site ratio. It never
10 came up as to people they could sign up for a
11 program because, as Ron said, people can sign up
12 five apprentices and they might do only
13 residential work and put them out one to one with
14 their five journeypeople. But if they do
15 commercial work, they can only put one to one for
16 the first and then one to three for the second.
17 That's it and that's the only thing. We felt that
18 commercial work required more supervision than the

19 residential work, and that was the reason why it
20 was one to three for commercial.

21 MR. HOLMES: There is the issue of
22 job site versus sponsorship. That's what we're
23 talking about right now and the practicalities and
24 the administration thereof, and that's what we're
0056

1 talking about.

2 MR. PETRUCCI: Mr. Chairman, so
3 then Section 5, standards of apprentice, number
4 26, we're going to go back to those little books
5 and keep a record, correct? All right.

6 So if a contractor, and I'm not a lawyer, so
7 bear with me, if a contractor was or an apprentice
8 was to come in, completed the four years on the
9 job, completed the four years of on the job and
10 classroom, and in their records they had -- you
11 had four of them show up. In other words, is that
12 going to be something held against the contractor
13 if all they're doing is all residential or I
14 should say all commercial and we know that they
15 have so many licenses. You know, the ratio
16 portion. Does that come back to haunt them? You
17 understand what I'm trying to say?

18 MR. HOLMES: Not exactly. I think
19 I do, but.

20 MR. PETRUCCI: They're saying that
21 only on residential it's one to one. But if they
22 have five licenses and they have five apprentices
23 and in their book it's saying they're doing all
24 this commercial work or all this other types of
0057

1 work that's not actually obviously nonresidential
2 work, it cannot come back to haunt them because
3 they'd be out of ratio.

4 MR. DAMBRUOSO: I can't see how it
5 can.

6 MR. HOLMES: I don't, either.

7 MR. KRAEMER: Also, it wouldn't
8 necessarily be out of ratio. Suppose you did
9 nothing but service -- you did nothing but
10 commercial, but you never went to a job where you
11 had more than two people, one apprentice and one
12 journeyman.

13 MR. ZINCK: I'm going to raise one
14 more issue. Again, Eddy Zinck from Interstate
15 Electric. This goes back to the old time
16 electricians that came out of the service under
17 the veterans G.I. bill for schooling and whatnot.
18 It was always my understanding, Howard, you may
19 have the answer to this, you may not know it, but
20 I always understood that a veteran when it came up

21 using the G.I. bill and went to work for a
22 licensed electrician, it's in the laws, I
23 understand, it could be wrong, that they could
24 work alongside a licensed electrician with an
0058

1 indentured approved apprentice. They were waived
2 if they went through the G.I. bill. I don't know
3 if that's true or not, but I've been told that
4 this existed.

5 MR. HOLMES: I don't think so.

6 MR. CONTARINO: No, not in the 40
7 years have I heard that.

8 MR. HOLMES: Anyone else?

9 So at this point, we need a motion. I take
10 it the recommendation from the department is that
11 the indenturing or whatever other term we're
12 putting with this piece of it will follow
13 Appendix A which is the job site ratios. Ron, am
14 I correct in stating it that way?

15 MR. KRAEMER: Could you explain how
16 it works then? If I'm an electrician and I'm
17 doing nothing but commercial, I understand what
18 that means, that I can indenture -- actually, I'm
19 not sure what that means. How many do I get?

20 MR. HOLMES: One to one and then
21 one to three. Whatever the job site is, that's

22 what your company is entitled to.

23 MR. KRAEMER: For the purpose of
24 being on the job site or for the purpose of
0059

1 indenturing them?

2 MR. HOLMES: Both.

3 MR. KRAEMER: Well, then just
4 explain to me how it works. I don't know --

5 MR. HOLMES: If you don't know how
6 many jobs you've got, you don't know how many
7 apprentices you can have.

8 MR. KRAEMER: Right. And I don't
9 know what the mix of the jobs is going to be,
10 small jobs, large jobs, commercial or residential.
11 So it doesn't give any guidance to the contractor.

12 MR. HOLMES: Howard?

13 MR. CARNEY: Just as a suggestion,
14 the union program has three different type trades
15 they work with. They have residential apprentice
16 and they have commercial apprentice and they have
17 telecommunications. To be a contractor who was
18 just going to do commercial work 90 percent of the
19 time, whatever, why wouldn't we indenture them as
20 a residential apprentice versus a commercial
21 because the work process itself and the training
22 is completely different.

23 MR. HOLMES: What I'm thinking the
24 problem is is the administration. Somebody walks
0060

1 through the door up to the counter. Let's stay
2 with the electrician. Why not? Ronnie's concern
3 is what are the people telling them. And in
4 return, what are the people walking in telling
5 them. They could be doing commercial, but they're
6 going to walk through the door and say, "I want to
7 register ten apprentices because I'm doing only
8 residential." Now, all of a sudden they've got
9 ten apprentices, but that's not what the indenture
10 rate used to be.

11 MS. KENT: Or you could have ten
12 service trucks.

13 MR. HOLMES: Yeah, exactly. The
14 devious people, the people that want to skirt the
15 rules, will come in here and indenture hundreds.
16 Bill and then Ron.

17 MR. LEPORE: They're training to
18 obtain a license. The license law doesn't
19 recognize residential and commercial as separate
20 categories.

21 MR. HOLMES: All right. Ron and
22 Jimmy.

23 MR. DAMBRUOSO: The only

24 enforcement is on the job site. So it shouldn't

0061

1 even be an issue. I don't understand why we're
2 making it an issue. The only enforcement is on
3 job site. That's the only enforcement is job
4 site.

5 MR. KRAEMER: And that's what Val
6 told me when I spoke to him on the phone is that
7 these ratios are to job site only.

8 MS. KENT: So hire as many as you
9 want if you want them to sit there, not working
10 and getting paid.

11 MR. JACKSON: Jim Jackson, IBEW
12 Local 99 JATC. I just want to make one point, and
13 I think everyone is missing this. There's two
14 different types of sponsors. There's a
15 multi-employer sponsor which is someone that I
16 work for and then there's single sponsors which is
17 what the attorneys and you are. It's always been
18 a sponsorship on a ratio of one to five or
19 fraction thereof for sponsorship. The second part
20 on job sites and all the rest were tied to a
21 collective bargaining agreement of a
22 multi-employer bargaining unit. So that's where
23 the job sites came in. Because I have 180
24 apprentices and I could send 15 to a job site and

0062

1 have one journeyman and you would have no control.
2 That's where the job site ratio, the shop ratio
3 and all the rest of them fall in. People have
4 kind of got off the track. I don't feel that
5 you're on track. Sponsorship is multi-employer
6 and single sponsor. We've always been one to five
7 or fraction thereof. I just wanted to make that
8 clear.

9 MR. EKNO: Buddy Ekno from the
10 Department of Labor, retired. I love saying that.
11 What a relief. And I admire what's going on. I
12 praise all of you for that. That's great.

13 Anyways, no matter how many apprentices these
14 people are talking, anyone who is going to have a
15 apprentice, what company, one apprentice, ten
16 apprentices, you're also getting off the point.
17 Once they get four apprentices, any company, they
18 have to have an Affirmative Action program before
19 they even continue on to the fifth apprentice. So
20 you've got to remember that in what you're talking
21 about.

22 MR. HOLMES: That's in here.

23 MR. LOMBARDI: It appears that,
24 like Ron says, the only time the department

0063

1 enforces this would be on a job site. If they
2 went on a job site and they saw an improper ratio
3 of apprentice to journeyperson, they could site
4 that company for doing so.

5 However, as far as signing up, as long as a
6 sponsor signs -- can basically sign up one
7 apprentice for every journeyperson that they have
8 with the understanding that they could be using
9 those journeypeople in residential as opposed to
10 commercial and no one will know what they're doing
11 until they go out and do it.

12 So as long as -- they wouldn't sign up -- if
13 they only have two journeypeople, they're not
14 going to sign up ten apprentices. I know that.
15 That would be kind of ridiculous to do and they
16 wouldn't do that and we wouldn't allow them to do
17 that. But if they had four or five journeypeople
18 and they wanted to hire four or five apprentices,
19 I don't think the department can stop them from
20 doing that because they have the capabilities at
21 least in one area of work to be able to show
22 proper supervision for those individuals.

23 MR. HOLMES: Next?

24 MR. MARLAND: Won't some of this

0064

1 kind of work itself out? I mean, everyone has a

2 responsibility to train the apprentices, make sure
3 we don't take too many and give the proper
4 training and be able to employ them. To take
5 someone in more than you can put them out is doing
6 everyone an injustice. Don't we have somewhere if
7 they don't come up with the hours, like a seven,
8 eight year period, those people that over
9 indenture them?

10 MR. HOLMES: Not yet. We hope the
11 Fed is. And if the Fed doesn't, my goal was to
12 set something like that. We don't have that yet,
13 and we're not at liberty to put it in yet because
14 we didn't have public hearings on it yet.

15 I agree with you. I agree there should be
16 some form of completion minimums, there should be
17 some form of minimum compensation. There's
18 several items that need to be addressed. As I
19 understand it, the Feds are addressing some of
20 those issues and they should be out very shortly.
21 Should they not, then I believe it's our
22 responsibility to go back and review this document
23 one more time and talk about those particular
24 issues. But right now, no, there is no minimum.

0065

1 A kid can advance, but we can't mandate, we can't
2 de-register a program. If they go out and say

3 they've got -- Wayne Griffin has got 100
4 journeymen and he indentures 100 apprentices,
5 unless we did something different with this ratio,
6 they could indenture 100 apprentices and they
7 could kind of rotate them, and the only way when
8 we get to know is if somebody tries to complete.
9 But if one of those 100 apprentices is out there
10 for 40 years, we're not going to know it as it
11 stands right now. And, you know, Griffin usually
12 runs a pretty tight ship. But I'm just saying
13 with lack of these requirements, it really
14 probably won't shake itself out at the current
15 time.

16 But, again, as Ron says, you've got the
17 enforcement and the fact that, again, Howard said
18 it at the beginning, we've been indenturing people
19 into sponsorships at one to five forever. Well,
20 not forever, but for a long time. And I seem to
21 recall Mr. Kraemer making a statement a long, long
22 time ago that he didn't have a problem with that.

23 MR. KRAEMER: I don't recall the
24 statement, but.

0066

1 MR. HOLMES: But, again, here we
2 are.

3 Now, that raises the issue of what did we

4 cover in the public hearings. If we try to change
5 something that we didn't cover, we can't.

6 MR. LOMBARDI: Right.

7 MR. HOLMES: Or we'd have to go
8 back to public hearing on that issue, correct?

9 MR. LOMBARDI: Correct.

10 MR. HOLMES: So we're in kind of a
11 box, people. And we want to be able to make it
12 fair to the people that are coming in here, fair
13 to the department that has to administer this
14 program. And, again, as Ron said, I guess I have
15 to go back, I don't like this because I thought we
16 got off track, too, from the get-go. But here we
17 are and we've made a tremendous attempt to help
18 the field, help the apprentice. And if the
19 enforcement is only in the field, well, let's go
20 enforce it in the field.

21 MR. DAMBRUOSO: You know, it's sad
22 that the people in this room are the only people
23 that are concerned of what's going on out there.
24 Because the people that are breaking the law are
0067

1 not sitting in this room. That's what the sad
2 part is. Buddy made a good point. There's over
3 700 companies that are signed up. Only 27 have
4 Affirmative Action plans, 27. And I have to blame

5 the department for this because we don't have the
6 people to do the enforcement out there.

7 When I go to these schools, once in a while
8 I'll talk with the schools, and during the breaks
9 and whatever, the kids will come up to me and say
10 to me, "I get a 1099. My boss is paying me cash."
11 And I say to them, "Why?" But they won't give me
12 any information who they work for or what's going
13 on. "Because my boss doesn't want to go over five
14 apprentices." I said, "Why don't you come in and
15 file a compliant? We'll go after him." "Well, If
16 I do that, I'll get fired."

17 That's one of the biggest problems out there,
18 one of the biggest problems out there. Not the
19 people that are sitting in here. What we're
20 trying to do with this is make it fair for
21 everybody and give the apprentice the proper
22 amount of training. I would love to see an
23 apprentice go to a person who has a commercial
24 contract and residential. This way here, that

0068

1 apprentice gets both sides of the training,
2 commercial and residential, but it doesn't happen
3 in the real world. I can sit here and lie and say
4 it does, but it doesn't happen, and I hope
5 sometime in the future it does.

6 It's sad because we have standards that
7 should be followed and they're not being followed.
8 But with a new person that's coming aboard, I'm
9 going to enforce that more and more, that when we
10 go to monitor your programs, we want to see where
11 that person has been trained in residential,
12 commercial, electrical motors or whatever it may
13 be. And I'm only using electrical because that
14 seems to be the one we seem to talk about.
15 There's a ton of changes that have to be done, but
16 I think this is only a beginning of what we're
17 doing here. There's going to be a lot more work
18 put into this beyond my time because I'm only a
19 short timer here. But this is a good start to get
20 everything going here.

21 And I think Jimmy had an excellent statement
22 here and he was 100 percent right. We don't have
23 any large major, major, other than unions or
24 Griffin Electric, that handles 800 people in one

0069

1 shot. Should they be addressed different? Yes, I
2 think they do, but we're not taking that at hand
3 right here and now. Probably somewhere along a
4 line, there will be an attorney that comes along
5 and sues the state for doing this and sues the
6 state for doing that. If it happens, let it

7 happen. Right now, we have to address the issues
8 at hand right now and settle this the way we have
9 it. And we've made a number of changes as we go
10 through this that I think everybody should be
11 happy with.

12 That's all I have to say as far as that goes.
13 We can pick at this day and night, but we have to
14 start somewhere and this is a basis to start.

15 MR. HOLMES: Do I have a motion?

16 MR. RILEY: I make a motion we
17 adopt Appendix A as written.

18 MR. LEPORE: Second.

19 MR. HOLMES: For on the job and
20 sponsorship.

21 MR. RILEY: Yes, Appendix A job
22 site ratio for licensed indentured trades.

23 MR. HOLMES: Motion made.

24 MR. KRAEMER: Can I ask a question?

0070

1 I'm not quite -- when you say both for job site
2 and for sponsorship, that's when I get confused.
3 If you're saying that the ratios in Appendix A are
4 the ratios that will be enforced on the job site,
5 I understand that. But when you say Appendix A
6 ratios are ratios for sponsorship or
7 indentureship, that's when I get confused. That's

8 when an electric contractor, for example, or
9 anybody who's got both residential and commercial
10 doesn't know how many they can indenture. So if
11 the understanding is that --

12 MR. DAMBRUOSO: Go ahead.

13 MR. KRAEMER: Do you understand the
14 issues I'm raising, Val?

15 MR. LOMBARDI: Yes.

16 MR. KRAEMER: That's why I don't
17 understand how the motion solves the clarification
18 problem.

19 MR. DAMBRUOSO: Can we go to the
20 standards of apprenticeship. And you want to do
21 this now. We're going to have to. Give me a
22 page.

23 MR. KRAEMER: Is this the new form
24 we haven't seen?

0071

1 MR. DAMBRUOSO: No. This is the
2 old one.

3 MR. HOLMES: Page six.

4 MR. EKNO: Six or seven.

5 MR. HOLMES: Six.

6 MR. DAMBRUOSO: Okay. I'm going to
7 give this to Mr. Kraemer so he can see this. Page
8 6, this is the standards. We were waiting to do

9 this, but I hope this answers your question.

10 This paragraph where it states one to five is
11 going to have to change to read what it says in
12 the rules and regs, refer to Appendix A. This is
13 what stopped the meeting last month.

14 MS. KENT: So, Ron, if I came in
15 and I were registering an apprentice and I was
16 going to go by Appendix A, how would you know if I
17 had -- I'm going to say I have five journeymen.
18 How do you know if I have five service trucks so I
19 would be entitled to five apprentices or how would
20 you know if I had one commercial site running and
21 I'd only be entitled to two apprentices?

22 MR. DAMBRUOSO: It doesn't make any
23 difference.

24 MS. KENT: That's what I'm "m

0072

1 saying. If you say you can only hire by Appendix
2 A --

3 MR. DAMBRUOSO: Which includes all
4 the ratios.

5 MS. KENT: Right. So how would you
6 know where I fell?

7 MR. DAMBRUOSO: It doesn't make any
8 difference to me. Enforcement is only on the job
9 site.

10 MS. KENT: And I agree that the
11 enforcement is on the job site. I absolutely do.
12 My name is Lynn Kent. I'm with Robert F. Audette,
13 Inc. But I can tell you I've been receiving calls
14 from other contractors who say, "Well, I went and
15 tried to register an apprentice and they wouldn't
16 let me register." And I'd say, "Well, why?" And,
17 Ron, you and I both know there is so much
18 disinformation.

19 MR. DAMBRUOSO: Please don't
20 bring anybody -- if we don't have facts right
21 here, someone here that says we didn't make them
22 register, we need them here. Don't say you got
23 phone calls. This is a nightmare.

24 MS. KENT: I agree.

0073

1 MR. DAMBRUOSO: If someone wants to
2 come to this council and present and say they were
3 denied, I need them here. Don't say hearsay. It
4 doesn't work here. We need facts here so we know
5 what we're talking about.

6 As far as I'm concerned, if this goes through
7 the way it comes in here, a person comes in here,
8 we're going to ask for your journeyman or master
9 to register. If they've got ten people, I'm going
10 to have to accept ten apprentices.

11 MS. KENT: I agree with that
12 statement.

13 MR. DAMBRUOSO: That's the way I'm
14 interpreting this. If I'm not interpreting this
15 the right way, I need the attorneys or the council
16 tell me no, I'm interpreting it wrong.

17 MS. KENT: I agree with the
18 statement you just made.

19 MR. DAMBRUOSO: But, obviously,
20 what you guys want is someone to say if you have
21 ten journeymen, you want ten apprentices to sign
22 up. We can't break it down between commercial and
23 residential.

24 MS. KENT: I agree.

0074

1 MR. DAMBRUOSO: It's not going to
2 work with them.

3 MR. KRAEMER: Ron, we're not saying
4 what it should say. We just want to understand
5 what it says.

6 MS. KENT: Because we want to
7 comply as we've done historically.

8 MR. DAMBRUOSO: I don't understand
9 how much plainer it can be. We try to make
10 this -- at subcommittee, we tried to make this as
11 simple as possible.

12 MR. KRAEMER: Ron, what you're
13 saying is that on the job site, ratios are what
14 the ratios are in Appendix A.

15 MR. DAMBRUOSO: Whether they're
16 commercial or residential.

17 MR. KRAEMER: For sponsorship
18 purposes, the council is allowing contractors,
19 employers to register an apprentice for every
20 journeyperson they have. Use electric as an
21 example. For example, Telecom would be different.
22 I understand that, too. If that's what you're
23 saying it says and everybody says that's what it
24 says, then we understand it.

0075

1 MR. DAMBRUOSO: If someone doesn't
2 say it, they've got to tell me why.

3 MR. CARNEY: To try to answer
4 Lynn's question. We ask you for a list of your
5 journeymen, journeymen actively working in the
6 field. If you've got a journeyman that's a field
7 superintendent, he's not working with the tools,
8 it wouldn't work for the count. But for sake of
9 discussion, if you were to give us a listing of
10 ten journeymen, we would check that out with the
11 license department to make sure people were
12 registered. So we're making the assumption now

13 that you have the ten journeymen. You get the
14 first apprentice one on one. Then with the one to
15 three ratio -- is this not correct?

16 MR. DAMBRUOSO: No.

17 MR. CARNEY: I need to be
18 instructed. I'm sorry.

19 MR. CONTARINO: Can I ask a
20 question? We're talking about sponsor. Anybody
21 can sponsor. The issue here is to make sure these
22 people get proper training and proper education.
23 It's the job site. That's where the ratio should
24 count. I can take in 100 apprentices in my local,
0076

1 but am I going to put these poor kids to work?

2 No. It's per job.

3 I think we're losing sight here of what
4 should be done. That's my main concern, the
5 education of these new people coming into our
6 trades. And I think we're losing it here. Forget
7 the sponsor. Right now, we could get 100 the way
8 we're talking. That's crazy. I wouldn't take 100
9 people because I'll never put them to work.
10 They'll never get a job. There ain't that many
11 jobs out there. Let's quit fooling ourselves.
12 This is job ratio, and it's the education of the
13 children, young men and women coming into the

14 business. So let's get this cleared up. This has
15 been going on for over a year. It's crazy.

16 MR. HOLMES: The only way to solve
17 that problem is put one to one for sponsorship.
18 That's the only way. Just as you said over here,
19 the one to one, and Appendix A follows job site.

20 MR. DAMBRUOSO: You need legal
21 advice on that. You'll need a public hearing on
22 that.

23 MR. HOLMES: I don't want another
24 public hearing. Let's get the interpretation
0077

1 straight as to what we're saying here. I thought
2 we covered all this. I don't want to go back and
3 have another hearing if we don't have to.

4 MR. LOMBARDI: The apprenticeship
5 agreements which will be printed out to reflect
6 the new rules and regulations will indicate what
7 the job site ratio is, but they would also
8 indicate the signing ratio which has not changed
9 which is one to one. So that's what that's going
10 to indicate. It will indicate signing ratio is
11 one to one and then see Appendix A for the job
12 site ratio.

13 MR. KRAEMER: Except for trades
14 such as Telecom.

15 MR. LOMBARDI: Oh, yeah, except for
16 trades that are different. But they're in --

17 MR. HOLMES: They're in there.

18 MR. LOMBARDI: -- Appendix A. It's
19 referred to in Appendix A, anyway.

20 MR. HOLMES: That is by law.

21 MR. LEPORE: So you say we're
22 discussing a non-issue.

23 MR. HOLMES: It sounds that way.

24 I just want to make sure we're printing the
0078

1 documents and saying the right things in all the
2 same places. If we're going to do this, let's
3 make sure we do it at once. Clean up both
4 documents, the agreement, standards and the rules
5 so that they're all saying the same thing.

6 MR. LEPORE: If the council is in
7 agreement it's a non-issue, then why don't we
8 proceed with the motion.

9 MR. RILEY: We have a motion and a
10 second.

11 MR. HOLMES: Motion made and
12 seconded.

13 MR. KRAEMER: What's the motion,
14 Mr. Chairman?

15 MR. HOLMES: That we follow

16 Appendix A for the job site ratios.

17 MR. BOISSELLE: Is the very last
18 page part of Appendix A?

19 MR. DAMBRUOSO: Yes.

20 MR. BOISSELLE: In that case, I'd
21 like to draw your attention to the fact that
22 there's a mistake on it which is what I was trying
23 to do before.

24 If you take a look at commercial, it says one
0079

1 to one, then one, two, three, four, five,
2 whatever. If you take a look at residential and
3 go to bricklayers, carpenters, and iron workers,
4 it's one to five to begin with. It doesn't start
5 with one to one.

6 MR. HOLMES: You're right. The
7 second column, it should say one to one. Like you
8 did in the first column?

9 MR. BOISSELLE: Basically, I guess
10 if the second column is very similar to the first
11 one --

12 MR. HOLMES: It is with mine.

13 MR. BOISSELLE: -- they would be
14 fine, but I think the second and third column are
15 wrong.

16 MR. DAMBRUOSO: That was a

17 misprint.

18 MR. HOLMES: Joe, yours would be
19 the same thing. One to one first and then one to
20 five thereafter. So would I. So that needs to be
21 a little bit amended. The rest of them are one to
22 one straight out.

23 MR. LOMBARDI: They should all be
24 one to one and then one to five like the prior
0080

1 chart. That was just a mistake here.

2 MR. HOLMES: Any other discussion?
3 All those in favor, signify by saying aye.
4 Opposed?

5 (VOTE TAKEN; MOTION PASSES)

6 MR. HOLMES: The ayes have it.
7 The other part of question one, has that
8 taken care of itself?

9 MR. DAMBRUOSO: I don't think so.
10 Is that your other question?

11 MR. BOISSELLE: That was the only
12 question I had before.

13 MR. DAMBRUOSO: Because you
14 addressed me on this, on the unlicensed trade
15 column. Am I right or wrong? This only applies
16 if you have indentured apprentices. If you don't
17 have indentured apprentices, this chart won't mean

18 anything to you.

19 MR. BOISSELLE: Okay.

20 MR. DAMBRUOSO: Carpenters, if they
21 want to indenture their apprentices, then they
22 follow the ratio. If they don't, they don't have
23 to follow this chart. Do you understand that?

24 MR. BOISSELLE: I understand.

0081

1 MR. DAMBRUOSO: I know that was an
2 issue up at the State House.

3 MR. HOLMES: There was an issue at
4 the State House. I believe the chart as it's
5 written or when it finally gets filled in corrects
6 the misunderstanding that was up at the State
7 House last week and the week before.

8 MR. DAMBRUOSO: They didn't
9 understand. They thought normally, after this got
10 adopted, that they would have the carpenters and
11 all non-licensed trades have to work to this
12 ratio. They do not have to. Only if they're
13 indentured.

14 MR. HOLMES: There's numerous
15 misinterpretations up at the State House than you
16 can shake a stick at, but we'll leave that for
17 another day. So we're all set.

18 MR. KRAEMER: I understand what

19 you've done. That's helpful.

20 MR. HOLMES: At this time with all
21 of the approvals to the rules and regs, with the
22 clean up of the necessary language issues and the
23 standards, a motion would be in order to accept
24 and adopt as soon as possible with all the work
0082

1 that we've done.

2 MR. CONTARINO: Make that motion.

3 MR. KRAEMER: Val raised two other
4 issues initially. One, the EDC letter, and the
5 other is my letter. Were you going to address
6 those before you vote?

7 MR. LOMBARDI: I had --

8 MR. HOLMES: Oh, your letter of
9 last month?

10 MR. KRAEMER: Both my letter, as
11 well as --

12 MR. HOLMES: The small business, I
13 believe, has been addressed. He couldn't respond
14 to all the suggestions that were not adopted. We
15 talked about this last month, that we felt that --
16 I believe that we felt and we have the necessary
17 confidence that the rules that were adopted were
18 going to stay.

19 MR. KRAEMER: Was there actually a

20 written response to the EDC?

21 MR. LOMBARDI: No, not yet.

22 MR. KRAEMER: Do you plan one, Val?

23 MR. LOMBARDI: Yes.

24 MR. HOLMES: Yeah. Because of the

0083

1 confusion last month, I think we had to wait until

2 this point in time. Then he will respond to --

3 any suggestion that was not adopted will be

4 responded to, right?

5 MR. LOMBARDI: Yes.

6 MR. HOLMES: Any other questions?

7 MR. LEPORE: I make a motion to

8 accept, Mr. Chairman.

9 MR. RILEY: I'll second that.

10 MR. HOLMES: All those in favor,

11 signify by saying aye. Opposed?

12 (VOTE TAKEN; MOTION PASSES)

13 MR. HOLMES: Amen for now.

14 Any other business to come before the

15 council?

16 MR. DAMBRUOSO: We can't accept

17 these without changing the standard.

18 MR. HOLMES: I said that in the

19 motion, that the necessary changes and updates be

20 made so everything is consistent.

21 MR. LOMBARDI: They can't be made
22 until the rules are actually promulgated.

23 MR. HOLMES: Yeah.

24 MR. KRAEMER: Val, will you post
0084

1 the final draft on the web site?

2 MR. LOMBARDI: Once they're sent
3 in, yes.

4 MR. HOLMES: Next meeting will be
5 May 27 and hopefully it will be standard business
6 as usual as we go forward until we see what
7 happens with the Feds. Motion to adjourn?

8 MR. LEPORE: Motion.

9 MR. RILEY: Second.

10 MR. HOLMES: Thank you all for your
11 input and suggestions, and I know everybody's
12 happy.

13 (HEARING ADJOURNED AT 11:10 A.M.)

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C E R T I F I C A T E

I, Linda S. Taylor, a Notary Public in
and for the State of Rhode Island, hereby certify that
the foregoing pages are a true and accurate record of my
stenographic notes that were reduced to print through
computer-aided transcription.

In witness whereof, I hereunto set my hand
this 8th day of May, 2008.

**LINDA S. TAYLOR, NOTARY PUBLIC/CERTIFIED COURT
REPORTER**

My Commission Expires 7/2/09

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